

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10528-RCL

DENISE M. BARRY and JANE B.  
GREEN,  
Plaintiffs,

v.

ROBERT J. MORAN, PAUL A.  
CHRISTIAN, WILLIAM  
KESSLER, WILLIAM  
HITCHCOCK, CITY OF BOSTON  
FIRE DEPARTMENT, and JOHN  
and/or JANE DOES 1-50.  
Defendants.

**DEFENDANTS' ASSENTED-TO MOTION**  
**TO ENLARGE TIME TO FILE RESPONSIVE PLEADINGS**  
**PURSUANT TO FED.R.CIV.P. 6(B) TO PLAINTIFFS' SECOND AMENDED**  
**COMPLAINT**

NOW COME the Defendants, who respectfully move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time to file responsive pleadings. As grounds for his motion, the Defendants state that:

1. Defendants' Answers to Plaintiffs' Second Amended Complaint are due on September 25, 2006;
2. As undersigned counsel was out of state at the time of Plaintiffs' service of their Second Amended Complaint on September 15, 2006, and thereafter, undersigned counsel requires additional time to draft Defendants' Answers to Plaintiffs' lengthy Second Amended Complaint;
3. The Plaintiff has assented to the Defendants' request for more time to file such Answers (Rule 7.1 certification included below);

4. The Defendants request a brief extension until October 16, 2006, to file responses to Plaintiff's Complaint; and,
5. Allowing this motion will not prejudice any party to the action and permitting the Defendants an extension to file said Answers to Plaintiff's Complaint will further the interests of justice.

WHEREFORE, the Defendants respectfully request that this Honorable Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before October 16, 2006.

Respectfully submitted,

DEFENDANTS WILLIAM KESSLER,  
WILLIAM HITCHOCK, CITY OF BOSTON  
FIRE DEPARTMENT, PAUL A.  
CHRISTIAN, ROBERT J. MORAN,

William F. Sinnott  
Corporation Counsel

By their attorney:

/s/ Helen G. Litsas

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Helen G. Litsas  
Assistant Corporation Counsel  
BBO# 644848  
City of Boston Law Department  
Room 615, City Hall  
Boston, MA 02201  
(617) 635-4023 (Litsas)

7.1 Certification

Undersigned counsel certifies that on September 22, 2006, pursuant to LR, D. Mass. 7.1(a)(2), she spoke with Plaintiff's counsel, Thomas Feeney, Esq., who assented to the Defendants' request for more time to file responsive pleadings.

09/25/06  
Date: \_\_\_\_\_

/s/ Helen G. Litsas  
\_\_\_\_\_  
Helen G. Litsas, Esq.

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, a copy of this document was served upon counsel of record for the Plaintiff via U.S. Mail to 39 Sheafe Street, Suite 1, Chestnut Hill, MA 02467.

09/25/06  
Date: \_\_\_\_\_

/s/ Helen G. Litsas  
\_\_\_\_\_  
Helen G. Litsas, Esq.